

NATIONAL INTELLIGENCER.

DOWNWARD STEPS OF RADICALISM.

The pressure of Congressional matter on our columns has for the last few weeks denied us the requisite space for some remarks on one or two of the political events of the time which seem to us of too evil augury to be allowed to pass unnoticed or uncondemned. We shall endeavor to execute our purpose to-day.

The first occurrence upon which we purpose to comment is the recent decision of the Legislature of New Jersey by which it refused to consider the question that was legitimately brought before it touching the eligibility to the gubernatorial chair in that State of its present incumbent. The ground upon which Gov. PRIDE's competitor claimed to contest his eligibility was deemed to be found in that clause of the State Constitution which requires that the Governor shall be a "resident of the State seven years next before his election, unless he shall have been absent during that time on the public business of the United States or of the State." It was maintained by JOHN HAYWOOD, Esq., the contestant, that though his opponent, RODMAN M. PRICE, Esq., had received a majority of votes in the recent canvass for Governor in that State, he was nevertheless rendered ineligible by reason of his residence in other States during the "seven years next before his election."

We have no disposition to examine into the merits of this controversy; but, since the Constitution of New Jersey expressly declares that "contested elections for the office of Governor shall be decided by the Legislature," we may venture to infer that the dominant party in the present Legislature were so ill-assured of Gov. Price's pretensions to eligibility that they preferred to shirk the contest which the organic law of the State imposed upon them rather than to incur the risk of meeting it. Such a course, to say the least, evinces rather the conscious strength of the "majority of numbers" than of a good cause. If the Constitution of a State requires certain qualifications for the office of Governor, it will not, we suppose, be contended that any man is eligible to that post who lacks a single one of the constitutional requirements. To constitute a valid election requires not only a majority of votes, but a legal candidate as well. An unqualified person can no more be legally elected by a majority of votes than by a minority. The number of votes that he may receive can in no wise change the constitutional aspect of the question. The votes thrown for an illegal candidate are exactly like so many figures multiplied into nothing, the product of which is naught, however large the multiplier may be. And yet, clear as such reasoning must be to all when viewed in the light of constitutional law, there are not wanting those among us who pretend to ignore its cogency. They tell us that mere majorities are of themselves competent to dispose of the constitutional impediments which the organic law may seem to erect against the will of these majorities. Thus, upon this very topic of Gov. Price's eligibility, a Philadelphia contemporary (the Evening Argus) took occasion some time ago to remark as follows, and as the paragraph was also copied by our neighbor the "Union," we may presume it received the sanction of the Government organ:

"Though Rodman M. Price has unquestionably received a majority of the votes cast, and thus been elected Governor of the State by that highest and holiest of all powers in a Republic, the People, still Whiggery, true to its hatred of republican principles, and adverse to recognizing the rights of the majority, is about to arrogate to itself the right of questioning the wishes of the people, and thwarting, if possible, their choice expressed at the ballot-box. The question of the ineligibility of Mr. Price has been decided, and does not enter into the consideration of any sensible man at the time. If indeed it has at any period during the canvass; and the attempt to raise that issue now is but a ruse to conceal a still more wicked and malicious attack upon the Constitution of the State and the will of the People. The citizens of New Jersey, by a majority, have elected Mr. Price, and the sovereign people will be 'the lion in the path' of the Whig party, if they attempt to interfere and defeat, by their machinations, the expressed will of the majority. The people, honest in their purposes and indefatigable in their determination to support the well-settled principles which lie at the foundation of this republican form of government, the right of a majority to choose their own rulers, is the power in which we have an 'abiding faith,' and they will take care that the candidate who has 'unquestionably received a majority of the votes cast' for Governor of New Jersey will take his seat at the appointed time and discharge the duties of that office."

Here it is maintained that a majority of votes is alone sufficient to validate an election, all questions as to the legality of either voters or candidates being studiously despised and left out of account, as inconsistent with "that highest and holiest of all powers in a Republic." To refute such a monstrous interpolation in the doctrines of Republicanism would be useless; to indicate it is sufficient to condemn it in the eyes of all who retain any respect for a liberty founded on law.

There is, however, another subject of kindred nature, but of still more alarming import, upon which we design more particularly to dwell, as marking the prevalence and supremacy in certain quarters of opinions which, if they became general, could not but result in the overthrow of the most distinctive features which give character to our Government, whether State or National. Our readers have already been informed that the present Democratic Legislature of Rhode Island recently passed a resolution reversing and annulling the decree of the Supreme Court in that State, rendered in 1844 against Thomas Wilson Dorr, for exciting a rebellion against the Government. Though it is not likely that any of our readers, who were contemporary observers, have forgotten the events which signified that insurrection against law and order, yet it will perhaps enable us the better to trace the consistent progress of radicalism in that State if we briefly review the prominent incidents of the rebellion in which the Mr. Dorr figured as ringleader.

The State of Rhode Island retained until 1842 her colonial charter, which she had received from King Charles II, in the fourteenth year of his reign. At the period of the revolution such changes and amendments were introduced into the instrument as the altered relations of the people made necessary. By this charter the right of suffrage was vested in every freholder who possessed property in the sum of about \$130. This restriction on the popular suffrage was long made the theme of indignant denunciation by certain self-styled advocates of the "largest liberty for the largest number," until in the year 1840 a mass meeting of the "reformers" was held to concert measures for the extension of the right of suffrage and the formation of a new constitution. This meeting accordingly assumed the prerogative of calling a "Constitutional Convention," the members of which were elected by the parties interested, but of course without due course of law. Nevertheless the Convention met, made a new constitution, and submitted it to the people for ratification at a special election ordered by the Convention itself, and in which of course the "reformers" had it pretty much their own way, as all legally disposed citizens refused to give any countenance, even by voting against them, to proceedings which were illegal alike in their inception and execution.

The new constitution, however, was declared by its patrons to be duly ratified, and, according to its terms, was to take effect a few months later. An election next followed for a Governor and Legislature who should inaugurate the new Government. The functionaries thus elected accordingly assembled at the capital to enter on their self-constituted duties. But the legally existing Government was not disposed to look any longer with forbearance on their extreme and violent assumptions. The doors of the State House were shut in the faces of the new assembly, who, however, installed themselves in a

neighboring foundry, passed laws, issued edicts, and left the Governor, Thomas Wilson Dorr, to execute them by means of the plenary power which was vested in him for that purpose.

To say that all these proceedings were illegal is to characterize them too gently; they were usurpations of the most treasonable in nature and the most insurrectionary in the manner of their institution. They were not only done without color of authority, but in direct contravention of the highest law of the State. It was in every sense of the word a rebellion.

To enforce the laws, however, of this tumultuary legislation, Gov. Dorr took the responsibility of calling out the "militia," meaning of course by this term his own regulars and adherents. The mob, thus summoned and armed, marched against the State arsenal, which was vigorously assaulted, but the rioters were soon repulsed and dispersed, and the Governor himself, deserted by his camp-followers, fled to New Hampshire. Not long afterwards, however, the fugitive leader of the insurgents, and returned to Rhode Island, re-organized his legions, and drafted additional recruits from the "Subversive Democracy" of New York. But scarcely had he set his squadron a second time on the field before the forces of the legally existing Government. The aged and venerable father of Dorr enrolled himself among the minute-men on the side of law and order so fatally disturbed by his unworthy son. Dorr again became a fugitive.

But meanwhile Rhode Island had legitimately revised her constitution, and effected legally the changes which were deemed to be in accordance with the real wishes of the people. A new constitution was framed and adopted. About a year later Dorr adventured on charge of high treason, was tried by the Supreme Court, was convicted and sentenced to the State prison for life, with the formal deprivation of civil rights.

If this punishment seem severe it can only be from not duly considering the magnitude of the crime. There is a disposition among certain persons to palliate political offences as though they were comparatively venial; but they are precisely those which in proportion to their gravity are the most criminal. "Our parents are dear," says Cicero in a familiar passage, "dear are our children, dear our friends and companions, but a common country embraces all the charities of them all. To benefit his country what good man will hesitate to die? While detestable beyond comparison is the barbarity of those who would wound her by their criminal assaults, and who either are or have been wholly occupied in her destruction."

After a year's confinement in the penitentiary Dorr was released by act of the Legislature, who, it is believed, were influenced to this deed of clemency by a too fond belief that the spirit of faction and disorder had been effectually crushed in the State.

But the Democracy having during the present year regained their lost ascendancy in the government of Rhode Island, they hastened to pass, among their earliest acts, the following decree of the General Assembly:

"It is enacted by the General Assembly as follows: 'Sec. 1. The judgment of the Supreme Court whereby Thomas Wilson Dorr, of Providence, on the twenty-fifth day of June, 1844, was sentenced to imprisonment for life, at hard labor, in separate confinement, is hereby repealed, reversed, annulled, and declared in all respects to be as if it had never been rendered.' 'Sec. 2. To the end that right be done to the said Thomas Wilson Dorr, the Clerk of the Supreme Court of the county of Newport is hereby directed to write across the face of the record of said judgment the words, 'Reversed and annulled by order of the General Assembly, at their January session, A. D. 1854.' 'Sec. 3. The Secretary of State is hereby directed to transmit a copy of this act to each of the Governors of the several States and to the Congress of the United States.'"

Was there ever a more high-handed outrage than this committed by one of the depositaries of the State sovereignty on an independent and co-ordinate branch of the Government? The act of the United States Senate in mutilating its own journal was deemed by many to be a stretch of power at once arbitrary and monstrous; but the Legislature of Rhode Island has taken a step beyond that. It has invaded the sanctuary of justice, and with unclean thought has fouled and soiled the journal of the most august tribunal in the State—a tribunal over whose records it has no more legitimate control than the United States Senate have over those of our Supreme Court; and yet, in all its assumptions touching the right to obliterate its own records, would the Senate have ever ventured a similar usurpation over those of the latter tribunal?

But the Rhode Island Democracy are deterred by no such scruples; and, not satisfied with the perpetration of so gross an iniquity, it boldly flaunts it shame before the face of the nation. It directs the Secretary of State to transmit a copy of this act to each of the Governors of the several States and to the Congress of the United States! The enormity of the transaction is only exceeded by its brazen impudence. It would seem, indeed, that the Rhode Island Democracy do but seek in this to imitate the custom of the Highland chiefs, who once were wont to rally their clansmen and confederates to some free-booting foray by dispatching swift messengers from village to village, each bearing and transmitting from hand to hand the "fiery cross of shame," which was the symbol of some sudden and important emergency in which all who beheld the signal were called to act. Do the Rhode Island Democracy summon their brethren in "the several States" to unite with them in a similar foray on the Judiciary? And by sending such a missive to the "Congress of the United States" do they seek to inform that body of its hitherto unexercised prerogatives over the records of the Supreme Court? As the precedent of the Rhode Island Assembly is thus conspicuously brought before the whole country, let us look a little more closely into the hideous features which it presents.

If there be any principle of republican government, as our fathers understood it, more fundamental than another, it is that which ordains the distribution of its powers in the hands of independent and co-ordinate branches. In the Convention which framed the Constitution of the United States the first resolution adopted by that body was that "a National Government ought to be established, consisting of a supreme legislative, judiciary, and executive." And this same principle, as Judge Story observes, "lies at the bottom of all our institutions, State as well as National." Upon the expediency of such a division in the powers of a State it surely cannot be necessary to enlarge at this stage in the history of republican government in this country. Yet it is precisely this principle which is assailed by the action of the Rhode Island Legislature. A co-ordinate branch of the State Government, and that the most sacred depositary of its civil and political liberties, the Judiciary, has been trampled upon by the General Assembly. The founders of the Republic were not unaware that the tendency of republican government is to the aggrandizement of the legislature at the expense of the other departments; and, if, when penning the papers of the Federalist, Mr. MADISON felt himself compelled to confess that the constitutions of the several States, as they then stood, did not sufficiently provide against the danger from legislative usurpations, "which, by assembling all power in the same hands, must lead to the same tyranny as is threatened by executive usurpations," what would that statesman now say, if he could return among us, to find even the few mounds and dikes which were standing in his day nearly all washed away by that torrent of innovation which, under the name of reform, has swept away every constitution of which he spoke? If then he exclaimed in alarm that the legislative department was "everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex," what would his exclamations in the face of such assumptions as those which form the subjects of our present review? And if ALEXANDER HAMILTON, in his day, complained that the Judiciary, from the force of circumstances, must always in a republican government be "beyond comparison, the weakest of the three departments of power," at the same time that it is the chief guardian of our liberties, what would be his complaints when this weakness has sunk into an impotency to pro-

tect its own records from the obliterating finger of the Legislature?

The anarchic tendency of such legislation appears the more strikingly from considerations like the following. It is the constitutional function of the Judiciary to review the acts of the Legislature, and to decide on their constitutionality. No principle is better settled than this. The State courts have acted on it from the very origin of our Government, and for a digest of the earliest decisions on this point we refer the reader to the first volume of Kent's Commentaries on American Law, where he will find the principle itself most luminously stated and defended by the combined force of logic and established precedents. But, in the matter of Gov. Dorr's "rehabilitation," it is the Legislature which not only usurps the function of the Judiciary, but exactly inverts the constitutional relation of the two departments, and assumes to review the acts of the Judiciary, not in the only way it could legitimately do so, by impeaching its functionaries for malfeasance in office, but by annulling its edicts. Now, if the Legislature is competent to act thus with regard to a criminal decree, it is equally competent to annul and revoke a civil judgment. It may reverse and annul the decision of the Court in regard to a judgment of debt or a conveyance of property. Nay, more, if it may direct the clerk of the court to annul the decision of the court after it has been made, then it may interfere to prevent a decision before it has been made. The whole power, judicial and legislative, according to this doctrine of the Rhode Island Democracy, centers in the General Assembly.

It is another principle of established authority that the power which makes is not the power to construe the law; and so far has this principle been extended, and so jealously has it been guarded, that all declaratory acts—that is, acts intended to declare what the law meant before it was passed—have been decided to be of no binding weight with the courts. The Legislature has no power, in passing a law, to determine how it shall be interpreted by the Judiciary. But it is the doctrine of the Rhode Island Democracy that the Legislature may not only dictate the interpretation of its own laws, but may "reverse, repeal, annul, and declare in all respects as if it had never been rendered," whatever decree of the Supreme Court it may please to revise, even though it can be shown that that decision was according to an interpretation of the law which even the Legislature itself cannot impugn. Is not this to reduce anarchy to a system?

We should not, perhaps, conclude the present article without noticing the attempted justification of this outrage on the part of its perpetrators. We find the following in the *New York Evening Post*, extracted from the first-named journal makes out "a pretty clear case" in favor of the Rhode Island Solons:

"The Assembly, having no pardoning power expressly conferred by the Constitution, is obliged to look for it among powers previously exercised and not prohibited; and it is found in the plainest words in the charter of Charles II, p. 4, digest. The charter authorizes the Assembly 'to order, direct, alter, amend, and authorize the imposing of lawful and reasonable fines, mulcts, imprisonment, and executing other punishments, pecuniary and corporal, upon offenders and delinquents, according to the course of other corporations within this our kingdom of England, and again to alter, revoke, annul, or pardon, under their common seal or otherwise, such fines, mulcts, imprisonments, sentences, judgments, and condemnations as shall be thought fit.'"

"The Constitution now in force in Rhode Island contains the following clause: 'The General Assembly shall continue to exercise the powers they have heretofore exercised, unless prohibited in this constitution.'—Art. IV, sec. 10."

So far from making out "a pretty clear case" in favor of the Rhode Island Assembly, it seems to us that these quotations make out a clear case against it; for on examining the old colonial charter of Charles II. we find that it does expressly confer "to the Governor and Company all powers, legislative, executive, and judicial," the King merely reserving to himself, as a pledge of his sovereignty, a render of the fifth part of all the gold and silver found in the colony. But the present Constitution of Rhode Island is founded on the republican principle of the distribution of the three powers, and such a usurpation of judicial functions as that involved in the reversal by the General Assembly of the findings of the Courts is clearly prohibited by the existing relations between these two branches of the Government. But even if this apology were valid, what would it prove? Nothing more than that anarchy had been made organic and normal in the institutions of Rhode Island. It would prove that according to her very Constitution the only law in that State is the will of the majority for the time being, and that her only pactants are the decrees of her General Assembly as interpreted and enforced by its own despotic authority.

But the Supreme Court of the United States some years ago decided the very question involved in the recent outrage of the General Assembly of Rhode Island upon the Supreme Court of that State. The following is the case, which will be found in vol. 3, p. 308, Dallas's Reports:

"In August, 1796, the Supreme Court of Judicature rendered a judgment against the defendant, Col. Olney, the collector of the port of Providence. Olney brought a writ of error to remove the cause into the Supreme Court of the United States, the construction of a statute of the United States being involved in the decision; and one question was whether the Supreme Court, on whose judgment the writ of error was brought, or the General Assembly, was the highest court of law or equity of the State of Rhode Island in which a decision in the suit could be had. This question was first argued by order of the Court, to determine first whether they had jurisdiction.

"Chief Justice ELLSWORTH delivered the unanimous decision of the Court.

"We are clearly of opinion that the Supreme Court of Rhode Island, in whose judgment this writ of error is brought, is the highest court of law of that State, within the meaning of the 25th section of the judicial act. The General Assembly may set aside, but they could not make a decision."

The judicial act here referred to is the act passed by Congress in 1789 establishing judicial courts of the United States under the Constitution. The 25th section is the one establishing the tribunal in each State, whence decisions should come up to the Supreme Court for re-examination, reversal, or affirmance, on writ of error.

"The Legislature of Tennessee once assumed this power to interrupt the proceedings of the Supreme Court in the case of the *State vs. Fleming*, but the Court very properly ruled the decree of the Legislature to be unconstitutional and void.—See *Humphrey's Rep. and Kent's Commentaries*, vol. 1, p. 490."

COMPLIMENT TO LIEUT. MAURY.

Extract from a letter received in this city from Mr. SCHUCHMIDT, American Chargé d'Affaires near the Court of Sweden, dated

"STOCKHOLM, FEBRUARY 20, 1854.

"I have great pleasure in informing you that the Swedish Government are desirous of offering a compliment to Lieut. MAURY; and as he may not receive the badges and decorations which would be conferred upon him were he an officer, the Government of the Kingdom of Sweden has ordered a gold medal to be struck in his honor at the Swedish mint, having on one side a likeness of the King, and on the other, I understand, a Latin inscription with the name of the distinguished officer.

"The distinguished officer intended to inform me that the medal will be made of Swedish gold coin, one of the purest in Europe, and its weight will be equal to fifty Swedish daacres."

THE LAST OF A NOBLE BAND!

A venerable relic of the past has departed. JONATHAN HARRINGTON, the last survivor of the gallant band who were engaged in the first colonial battle, died at Lexington, (Mass.) on Sunday, the 96th year of his age. He was a member of the minute men who assembled at Lexington Green on the 19th April, 1775. He was at the time—then a young man—when the British were in the destruction of his life. It has been his lot to witness the opening struggle for independence, and to see the British from the scene, till he was a good old age of ninety-five, he has been gathered to his fathers. May his reward be commensurate with the services he rendered to his country!

WASHINGTON.

"Liberty and Union, now and forever, one and inseparable."

THURSDAY, MARCH 30, 1854.

THE PRESIDENT AND THE NEBRASKA QUESTION.

Although we did not think fit to copy into our paper the letter of Mr. CLEMENS to his friend in Alabama, the publication of which has drawn from him the subjoined explanatory one, it is due to the PRESIDENT that we should insert the latter. The letter from Mr. C. to his friend in Alabama, which found its way into the public papers, contained the following passage:

"But a few days since, in a conversation with a Northern Senator and myself, he [President Pierce] gave it as his decided opinion that Douglas's bill was a proposition in 'favor of freedom,' and added that, if it should pass, although we might absorb the whole of Mexico, not another slave State would ever come into the Union. He expressed great surprise at the opposition it met with from the North, and equal surprise that the South should be willing to take it. I agreed with him fully, and could not help recurring to the stratagem by which the Greeks effected the destruction of Troy."

In consequence of the publication of this letter Mr. CLEMENS addressed the following letter to the PRESIDENT, which we copy from the *Union* of Sunday last:

WASHINGTON, MARCH 24, 1854.
DEAR SIR: You have called my attention to a late letter of mine to N. Davis, Jr. Esq., and particularly to the following sentence:

"He expressed great surprise at the opposition it met with from the North, and equal surprise that the South should be willing to take it."

At the time the conversation to which that sentence alludes took place I was walking backwards and forwards across the room, and should not have noticed it if you had not remarked that you had no recollection upon the subject, and that you were glad I was present to hear it.

In my letter to Mr. Davis I did not pretend to give your language, except where quotation marks were used; and, from the subsequent conversation with you, I think it very probable that I misunderstood the purport of your remarks upon this particular point. Your surprise may have been expressed that the true men of the North should hesitate to vote for Douglas's bill when the South were willing to take it; and, if I had paid attention to the whole conversation, I doubt not such would have been the impression left on my mind.

I have never sought a conversation with you upon the subject of the Nebraska bill; but every time I have heard you mention the subject you have uniformly expressed yourself warmly in favor of the principle of the bill, viz: the principle of the right of the people of the Territories to regulate the question of slavery for themselves—a doctrine from which I dissented; and, as I knew we were not at all likely to agree, I sought no discussion of the question.

You have assured me always that you thought it best for the whole country, and insisted that patriotic men in both sections ought to take it. I thought the South must be the loser, I think so now. I understood you to place it upon the ground that the principle is right in itself, and, if it works for or against a particular section, no one has a right to complain: that you were for the rights of both sections, and willing to take any consequences that might follow the practical carrying out of those rights as you understood them. Very truly, yours,

JERE CLEMENS,
President of the United States.

OCEAN PENNY POSTAGE.

Our Government has achieved the first step in this important object, and a long step too, for it embraces half the circumference of the globe—that is to say, a penny postage has been established between this country and Australia. We learn this interesting fact from the following announcement which we have received from the POSTMASTER GENERAL for publication:

REGULAR MONTHLY MAIL BETWEEN NEW YORK AND AUSTRALIA DIRECT.—Single rate of postage five cents, pre-paid.—The POSTMASTER GENERAL has made an arrangement with the proprietors of the "Australia Pioneer Line of Monthly Packets" to convey the mail regularly between New York and Australia by sailing ships monthly to each direction. It is expected that the first mail under this arrangement will be dispatched from New York on the 25th of April. The single rate of postage for letters is five cents; for pamphlets and magazines one cent an ounce or fraction of an ounce; and for newspapers two cents each, pre-payment required. The incoming mails, as the United States postage thereon cannot be pre-paid, will be treated as ordinary private ship mails.

The above successful step is the first fruit of a general authority wisely given by the PRESIDENT to the POSTMASTER GENERAL to enter into such arrangements for cheap ocean postage, and by the latter has been promptly and happily carried out with perhaps the most distant region on the globe with which our people have any considerable correspondence. The migratory habits of the age impart to cheap ocean and international postage an importance immeasurably greater now than it would have been a hundred or even fifty years ago; and we cannot doubt that an object so beneficent will soon overcome all existing obstacles to its universal extension. We think that our Government, and especially our Postal Department, deserves credit for its endeavors to carry forward the good work.

DONATIONS OF PUBLIC LANDS.—It appears from an official statement from the Secretary of the Interior that 134,704,392 acres of the public lands have been granted to various States and Territories, of which 4,609,449 were for internal improvements under the act of 1841; 48,909,535 for schools; 4,060,704 for universities; 5,836,873 for canals and rivers; 8,383,151 for railroads; and 25,990,257 for military services.

Although not within the usual rules which we prescribe for ourselves, we cannot refrain from alluding to the very brilliant fête—national in its character—given last week by the highly-esteemed MINISTER FROM BRAZIL, to celebrate the birthday of his EMPEROR. Due honor was shown to her Majesty by the Diplomatic Corps, who appeared in glittering costume; and the officers of our own army and navy testified their respect for the occasion by wearing full uniform. All that is most distinguished in our city of residents and strangers; we learn, paid their respects to his Excellency and his amiable consort, who, assisted by the assiduous Legation, added by their urbanity to the charms of their elegant hospitality.

A correspondent at the seat of Government writes: "I seldom go among members of Congress, but a gentleman who mixes a good deal with them tells me that the feeling in favor of the acquisition of Cuba is strong with them. 'I said, 'We have no more right to the island of Cuba than Spain has to the State of South Carolina.' 'He replied, 'True; but they do not see that.'"

[New York Evening Post.

FROM OUR LONDON CORRESPONDENT.

LONDON, MARCH 10, 1854.

It is a high position which England at present occupies; since, at the very moment that the Government is straining every energy to meet the exigencies of a war of unknown magnitude and duration, it is also laying the foundation of necessary and salutary reform in the representation, in the administration of the law, in bettering the condition of the poor, in facilitating justice in the Court of Chancery, and in rendering the Ecclesiastical Courts less deserving the reprehension of the moralist, the satirist, and the legislator. A reform is also to be made in the coinage, by the introduction of the decimal system; the business of the custom-house is to be simplified; education to be cared for and promoted, and the Universities to be rid of their inefficiencies; cheap postage is to be extended across the water as well as across the land; oats, which were necessary perhaps in 1688, are to be struck from the statute book as derogatory to the enlightenment of 1854; the navy is manned without impressment, and the army managed without flogging. Surely, if the existing Cabinet can manage all these things, and make NICHOLAS OF RUSSIA out of the Principality, and drive him desirous of peace, we shall have a right to sing to *peans* to Lord ABERDEEN and Lord JOHN RUSSELL, and award the victor's wreath to Lord RAGLAN and Sir CHARLES NAPOLEON. Perhaps we are too sanguine when we state our opinion that all or the greater part of these things will be done before next Christmas. We feel assured they will all be attempted, and we have confidence that all will be accomplished that energy, zeal, and ability can effect.

The mainly simplicity with which Mr. GLADSTONE has announced the plan by which he proposes to raise the additional sum required for the war, inspires confidence and respect, even in those who are not friendly to the Administration. Even COL. SIMMONDS has come as near to a compliment as it is possible he can cause his prejudices and his temper to approach.

With respect to the Eastern question, strange to say, the balance yet hangs between war and peace, though with a daily increasing preponderance towards the former. Every thing which reaches us, especially in regard to the czar's temper and determination, must be received with a cautious scepticism. If we could credit all we hear he would certainly appear to be playing a desperate part. Having Turkey, France, and England on his hands, he is reported to be desirous to fix a quarrel upon every Power which wishes to remain neutral. Intimations to Denmark, Sweden, and Prussia, to the effect that he will not recognize them as neutrals unless they adopt measures towards France and England irreconcilable with the neutral character, are attributed to him. It is scarcely possible to credit such statements, and yet there is in his manifesto to the Russian people, and in his reply to the Emperor of the French, an appearance of confidence in himself and his power that forbids an entire disbelief in them. Meanwhile preparations for commencing immediate hostilities are proceeding with unexampled rapidity both in France and England. News has arrived that the first detachment of British troops has reached Malta, and the second is well on its way; when it reaches Malta the first division will leave for Constantinople. The first division of the English fleet destined for the Baltic will sail from Spithead probably on Saturday. It will not reach its destination a moment too soon. The Gulf of Finland ought, on an average of seasons, to be open in about a fortnight, and present appearances promise an early spring. Riel is already open, and Cronstadt nearly is. It is thought that the Russians design to concentrate at the largest island of Åland, which is within a few hours' sail of Stockholm, and that capital is easily accessible from the sea, not strong in artificial defences. Should it suit the policy of Russia to seize upon Stockholm, we suppose there would not be any hesitation in doing it. We do not suppose that the great desire of the Emperor NICHOLAS to get his ships out of their winter harbors arises from any wish to meet the allied French and English fleets in equal battle on the sea. On paper his fleet shows stronger than that now fitting out in England, but a large proportion of its crews has been drafted off to man the ships in the Buxine. Neither can he intend to render his ships available for the protection of his coast line. He is evidently preparing to strike on sudden blow, *à la Russe*, before the allied fleets can arrive to prevent it, and his visible reluctance to acquiesce in the neutrality of the Scandinavian Powers seems to indicate where that blow will probably be attempted to be struck. Every consideration of humanity, all regard for the associated honor of England and France, imperatively call for the immediate departure of strong divisions of their fleets for the Baltic. Were a strong division of the English fleet alone in the Baltic there would be little room left for apprehension. Some difficulty may probably arise in the selection of a station from which, as from a centre, operations may originate and be directed. We have every confidence that the allies know what they are about, and that all necessary arrangements have been made.

A grand parting dinner has been given to Sir CHARLES NAPOLEON. LORD PALMERSTON took the chair, and two other Cabinet Ministers, Sir WM. MOLESWORTH and Sir JAMES GILCHRIST, attended. The healths of the Emperor and Empress of the French, of the Sultan of Turkey, of the Turkish Minister, and of Sir Charles Napier were drank with more than usual marks of enthusiastic respect. Sir Charles said in reply:

"The expedition upon which I am setting forth is a very great expedition, I cannot say of war, because we are yet at peace, but it is very near war; and possibly, when I get into the Baltic, I shall take an opportunity to declare war."

John Bull will very soon have to commence counting the cost of war, for he will be called upon to pay an income tax increased from 7d. to 10d. in the pound. Government is also to be empowered to issue a large amount in Exchequer bills during the coming twelve months, if the cost of the war require it, the total estimated increase of expenditure for the year being more than four millions sterling. This sum is the exact price of England's share of the expense of putting down Russia. France will also of course have a large sum to contribute. Turkey has paid by dearer still; whilst Denmark and Sweden must both take expensive measures and run great risks before the impending struggle is over.

The Emperor NICHOLAS still shows a desire to negotiate. At the commencement of this week he sent fresh proposals to Vienna, when examined were found to contain all the inadmissible demands of previous Russian projects. The Representatives of the Four Powers have, therefore, at once determined that the proposal cannot be entertained, and such an answer has been returned to St. Petersburg.

The Austrian Government has published an order prohibiting the export of arms, ammunition, and all materials of war to the Turkish provinces on the frontiers of the Empire. The effect of this order will, in the first place, be felt by the Russians in the principality, and in certain contingencies by Prussia that he has no hostile designs against that country.

The reigning Duke of SAXE COBURG (brother of Prince Albert) is on a visit to the Emperor of the French at Paris. He has been received with military honors and every mark of respect. Rumor, which is always busy in finding motives for the proceedings of distinguished persons, has connected great events with this visit. One is the union of Spain and Portugal by a marriage, which will exalt a member of the universal house of Cobourg to the throne of the United Kingdom, under a name which shall not offend the pride of either of the united nations; whilst another report is that the Duke's mission is intended to bring about a closer union between France, Prussia, and Belgium. If one-half of the schemes now alleged to be in embryo be brought to maturity we shall have a new map of Europe.

The last news from Spain is a complete contradiction of the statement before received of the issue of the military insurrection at Saragossa. Instead of the Cordova regiment having been cut to pieces, it lost only five men, and continues to give the authorities a great deal of trouble.

The people of Portugal are almost unanimous in wishing for a union of the two countries, under the title of the

"Iberian Empire;" the Crown to be worn by the Cobourg Regent of Portugal. Andalusia is for the Duchess of MONTPEMNER. This is a desperate state of affairs, which will not be improved by the resolve of the Government to propose a constitution which shall strengthen the hands of the Crown and weaken the power of the Legislature.

At home affairs are going from bad to worse. The administration is weak and full of disorder, although constantly trying to do down.

From Lombardy the accounts breathe nothing but melancholy monotonous misery. The King of Naples is perplexed about the "attitude which it ought to assume," as if he would be of any importance in the strife which is about to ensue. The remainder of Italy is a political no-man's-land.

Greece is a good deal alarmed about the disturbances in Albania. These portions of the Greek army whose fidelity can be depended upon have been ordered to the frontier in order to prevent deserters crossing the boundary to join the insurgents.

The Indian news shows that Russia is very busy in that neighborhood, but that she has not yet produced any very important results.

Russia is also very busy negotiating with Sweden, or at least striving to do so. The Swedish Council of State has voted three millions of six dollars banco towards the expense of defending the neutrality of the kingdom. The Russian admiralty have taken precautions in the Baltic like those taken by Prince Menschikov in the Black Sea, and removed all the buoys, beacons, &c.

The Russian Government demands from that of Denmark that it shall refuse to supply the English and French squadrons with provisions and coals. The ministerial resolution for giving the Danish administration a right to proclaim a constitution for the whole monarchy, without the co-operation of the Chambers, was rejected in the Diet by a majority of 97 to 1.

Whatever may be the defects in the new constitution of France, it is certainly calculated to get through with its legislative functions very rapidly in case of emergency. On Tuesday the Emperor signed a decree at the Tuilleries directing that a bill authorizing the Finance Minister to raise two hundred and fifty millions of francs (ten millions of pounds sterling) should be laid before the Corps Legislatif. An hour afterwards the bill was brought down to the House, recommended by the Minister of Finance and about seventy members, and signed by three councillors of State. A committee was immediately appointed to examine the bill, which on the next day reported unanimously in its favor; and, after a little interruption, caused by a few who thought two hundred and fifty millions not enough, and wanted to grant four hundred, the measure was passed by the unanimous vote of the House, two hundred and thirty-eight members being present. This proceeding shows, not only confidence in the Emperor, but a hearty co-operation with him under the circumstances in which France is placed.

Her Majesty will at noon this day pass through the first division of the fleet assembled at Spithead; but there will be no formal review. The first division of the fleet will sail for the Baltic to-morrow at twelve o'clock. This arrangement evinces judgment and good taste. The great object now is to get a strong naval force into the Baltic as quickly as possible. All holiday displays are therefore discreetly avoided. All festive parade appears on this occasion to be discontinued by the injunction that "he who putteth on his armor boast not as he who putteth it off." The Queen will in an unostentatious manner, as is her wont, bid the gallant blue-jackets "God speed."

The approach of the cholera was hinted at in the House of Lords last night. It has already appeared in some towns of Scotland, and seems progressing by the exact path which it traversed in 1848 and 1849.

A WEEK LATER FROM EUROPE.

Two European steamers arrived yesterday—the Franklin, at New York, and the Canada at Halifax. The Liverpool dates are to the 18th instant.

During the week flour had declined 2s, wheat 6d., and corn 1s. Cotton unchanged. Consols 91.

A terrible earthquake recently occurred at Calabria, in Italy, by which two thousand persons are reported to have been killed.

No change had taken place in the Eastern question. The first division of the British fleet, under Sir CHARLES NAPOLEON, sailed on the 11th. An address had been moved in the British Parliament praying the Queen, in the event of war, to give directions to prevent any interference with neutral vessels not carrying contr